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12 Attorneys for Defendant
13 Adobe Systems Inc.

14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
17

18 IN RE: HIGH-TECH EMPLOYEE
19 ANTITRUST LITIGATION

20 THIS DOCUMENT RELATES TO:
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22 ALL ACTIONS
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Master Docket No. 11-CV-2509-LHK

**DECLARATION OF ROSEMARY
ARRIADA-KEIPER IN SUPPORT OF
MOTION TO SEAL**

Date Consolidated Amended Compl. Filed:
September 13, 2011

1 I, Rosemary Arriada-Keiper, declare as follows:

2 1. My employment at Adobe Systems Inc. (“Adobe”) began in 1998 as a
3 compensation analyst in the finance organization. I subsequently moved laterally to become a
4 compensation analyst in the Human Resources (“HR”) group, and then was promoted to senior
5 analyst. In June 2006, I became the Senior Manager of Global Compensation, overseeing the
6 compensation team. In June 2010, I assumed the role of the Director of Global Benefits & HR
7 Shared Services at Adobe. I was recently promoted to Director of Rewards.

8 2. I have personal knowledge of the matters stated in this declaration, except those
9 matters stated on information and belief. I make this declaration in support of Defendants’
10 Motion to Seal documents filed in connection with (1) Defendants’ Motion to Exclude the Expert
11 Testimony of Edward E. Leamer, Ph.D. and (2) Defendants’ Motion to Strike Improper Rebuttal
12 Testimony in Dr. Leamer’s Reply Expert Report or For Leave to Submit a Reply Report of Dr.
13 Stiroh. If called and sworn as a witness, I could and would competently testify to the matters
14 stated below.

15 3. I have reviewed the following documents, which Adobe seeks to redact and file
16 under seal:

- 17 a. Supplemental Expert Report of Edward E. Leamer, Ph.D., May 10, 2013
18 (“Leamer Report 5/10/2013”), Figure 13, page 23; Figures 15-18 and ¶¶ 63-64,
19 pages 27-29; Figure 19, page 31; Exhibit 1;
- 20 b. Reply Expert Report of Edward E. Leamer, Ph.D., December 11, 2013
21 (“Leamer Report 12/11/2013”), Figures 6-7, pages 22-24; ¶ 42, page 23;
22 Figure 14, page 44; Appendix A, pages 76-77; and
- 23 c. Expert Report of Lauren J. Stiroh, November 25, 2013 (“Stiroh Report
24 11/25/2013”), ¶¶ 20-28, pages 10-14; ¶ 193, page 70; ¶ 201, page 72; Exhibits
25 III.3-8; Exhibit IV.1, pages 1-4; Exhibit IV.10; Exhibit IV.14; Exhibit IV.15,
26 pages 1-10; Exhibit IV.24; Exhibit IV.29.

27 4. Through my work in Adobe’s HR Department, I am familiar with the information
28 contained in these redacted portions and how that information is maintained at Adobe.

I. Leamer Report 5/10/2013

5. Figures 13, 15, 16, and 19 reveal confidential compensation information about the average compensation of Adobe Technical Class members and for certain specific job titles;

6. Figures 17-18, paragraphs 63-64 reveal confidential information regarding Adobe's job titles, corresponding headcount, and age;

7. Exhibit 1 contains confidential information about Adobe's job titles and number of employees for each specific job title.

II. Leamer Report 12/11/2013

8. Figure 6 reveals confidential information about the annual distribution of compensation by year;

9. Paragraph 42 and Figure 7 contain confidential Adobe information related to Adobe's acquisition of Macromedia and compensation for Macromedia employees as compared to Adobe employees and Adobe salary ranges;

10. Figure 14 reveals confidential Adobe compensation information about the average compensation of Adobe Technical Class members;

11. Appendix A contains confidential Adobe compensation information, including the salary range for a specific job title, the age of employees in that title, and salary for specific individuals.

III. Stiroh Report 11/25/2013

12. Paragraphs 20 to 28 contains confidential Adobe compensation information, including types of compensation Adobe provides employees, how Adobe differentiates employee compensation, and criteria and process Adobe uses to determine employee compensation;

13. Paragraphs 193 and 201 contain confidential information regarding specific components of Adobe's compensation package;

14. Exhibits III.3-8 reveal confidential information regarding the average compensation for Technical Class members and the average for the various components of Adobe's compensation package;

15. Exhibit IV.1 reveals confidential information regarding Adobe's hiring and

1 recruiting data and the confidential records regarding previous employers;

2 16. Exhibit IV.10, Exhibit IV.14, Exhibit IV.24, and Exhibit IV.29 reveal confidential
3 compensation information for specific individuals, identified by job title, gender, tenure, and age;

4 17. Exhibit IV.15 reveals confidential information about Adobe's job titles and
5 number of employees for each specific job title.

6 18. Adobe's practice is to keep the above information, and other similar information,
7 confidential, for internal use only, and not to disclose them to the public. I am informed and
8 believe that Adobe has taken reasonable steps to ensure that these and similar documents and data
9 remain confidential, including designating them "Confidential – Attorneys' Eyes Only" pursuant
10 to the Protective Order in this Action.

11 19. The public disclosure of this information would competitively harm Adobe,
12 including impairing its competitive position in recruiting, hiring, and compensating employees,
13 and potentially reveal confidential strategy used in compensating employees. This information
14 reveals strategies and methods developed to improve its ability to compensate its employees
15 competitively. Adobe derives independent economic value from keeping its compensation data
16 and compensation strategies, practices, and policies confidential, including keeping it from other
17 persons, entities, and/or competitors who could obtain economic value from its disclosure or use.

18 20. Moreover, the public disclosure of this information, created for internal use, would
19 give third-parties insights into confidential and sensitive aspects of Adobe's operations and
20 deprive Adobe of its investment in developing these practices, strategies, and policies. Such
21 disclosure would give other entities an unearned advantage by giving them the benefit of knowing
22 how Adobe compensates employees and Adobe's compensation, recruiting, and hiring practices,
23 strategies, and policies.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct. Executed this 9 day of January 2014 in San Jose, California.

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4
5 By: 
6 Rosemary Arriada-Keiper

7 SFI-848517v1